

**REMARKS**

Applicant elects Group 16 claim, claim 41, for prosecution with traverse. Applicants elect NELL-1 protein as the species for prosecution.

Groups 1 and 2 claims include the same set of claims, each group of claims drawn to different species in the set of claims. Therefore, restriction of this set of claims into two different groups of claims is improper. Applicant submits an election of species requirement, if any, should be imposed instead.

Similarly, Groups 3-6 claims include the same set of claims, each group of claims drawn to different species in the set of claims. Therefore, restriction of this set of claims into four different groups of claims is improper. Applicant submits an election of species requirement, if any, should be imposed instead.

Groups 7 and 8 claims include the same set of claims, each group of claims drawn to different species in the set of claims. Therefore, restriction of this set of claims into two different groups of claims is improper. Applicant submits an election of species requirement, if any, should be imposed instead.

Groups 9-12 claims include the same set of claims, each group of claims drawn to different species in the set of claims. Therefore, restriction of this set of claims into four different groups of claims is improper. Applicant submits an election of species requirement, if any, should be imposed instead.

Groups 13 and 14 claims include the same set of claims, each group of claims drawn to different species in the set of claims. Therefore, restriction of this set of claims into two different

groups of claims is improper. Applicant submits an election of species requirement, if any, should be imposed instead.

Groups 15-17 include the same claim, claim 41, each group drawn to a different species in the claim. Applicant submits an election of species requirement, if any, should be imposed instead.

**CONCLUSION**

If the Examiner has any questions or concerns, the Examiner is invited to telephone the undersigned attorney at (415) 393-9885.

The undersigned authorizes the examiner to charge any fees that may be required or credit of any overpayment to be made to Deposit Account No. 07-1850.

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Respectfully submitted,



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